

Public Law 94-126
94th Congress

An Act

To amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes.

Nov. 12, 1975

[S. 584]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8334(c) of title 5, United States Code, relating to deposits for periods of creditable service for civil service retirement purposes, is amended by striking out the last sentence.

National Guard technicians; civil service retirement.

(b) Section 8339 of title 5, United States Code, relating to computation of civil service retirement annuities, is amended by striking out subsection (m) and redesignating subsection (n) as (m).

(c) Section 8345 of title 5, United States Code, relating to payment of civil service retirement annuities, is amended by adding at the end thereof the following:

Regulations.

“(g) The Commission shall prescribe regulations to provide that the amount of any monthly annuity payable under this section accruing for any month and which is computed with regard to service that includes any service referred to in section 8332(b)(6) performed by an individual prior to January 1, 1969, shall be reduced by the portion of any benefits under any State retirement system to which such individual is entitled (or on proper application would be entitled) for such month which is attributable to such service performed by such individual before such date.”

SEC. 2. (a) Section 8334(g)(5) of title 5, United States Code, is amended by striking out “8339(n)” and inserting “8339(m)” in place thereof.

(b) Section 8340(c)(1) of title 5, United States Code, is amended by striking out “8339(n)” and inserting “8339(m)” in place thereof.

SEC. 3. The amendments made by the first section of this Act shall become effective as of January 1, 1969, except that such amendments shall not apply to a person who, on the date of enactment of this Act, is receiving or is entitled to receive benefits under any retirement system established by the United States or any instrumentality thereof, unless such person requests, in writing, the office which administers his retirement system to apply such amendments to him. Any additional benefits payable pursuant to such a written request shall commence on the first day of the month following the date of the enactment of this Act.

Effective date.
5 USC 8334 note.

Approved November 12, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-461 (Comm. on Post Office and Civil Service).

SENATE REPORT No. 94-189 (Comm. on Post Office and Civil Service).

CONGRESSIONAL RECORD, Vol. 121 (1975):

June 16, considered and passed Senate.

Sept. 22, Oct. 20, considered and passed House, amended.

Oct. 30, Senate concurred in House amendment.